

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1818

IN THE MATTER OF:

Served March 17, 1978

Application of WEBB TOURS, INC.,)
for Temporary Authority to Perform)
Charter Operations Pursuant to)
Contract - Washington School for)
Secretaries)

Case No. AP-78-2

Application of WEBB TOURS, INC.,)
for Certificate of Public)
Convenience and Necessity to)
Perform Charter Operations Pursuant)
to Contract - Washington School for)
Secretaries)

Case No. AP-78-11

By Order No. 1800 served January 31, 1978, and incorporated herein by reference, Webb Tours, Inc. (Webb Tours), was granted temporary authority pursuant to Title II, Article XII, Section 4(d)(3) of the Compact, to transport, in charter operations pursuant to contract, students and faculty of the Washington School for Secretaries (WSS) from 4415 Briarwood Court, Annandale, Va., to the facilities of WSS at 2020 K Street, N. W., Washington, D. C., and return. Order No. 1800 specified, inter alia, that the grant of temporary authority would commence February 1, 1978, and remain effective through March 17, 1978, unless otherwise ordered by the Commission. By motion (letter) filed March 14, 1978, Webb Tours seeks an extension of temporary authority through July 30, 1978.

By Case No. AP-78-11, filed March 14, 1978, Webb Tours seeks a certificate of public convenience and necessity pursuant to Title II, Article XII, Section 4(b) of the Compact to provide the above-described service to WSS. Webb Tours has submitted in support of its application a copy of an executed bilateral contract with WSS, the contract effective from March 18, 1978, through March 18, 1979, and providing inter alia, that Webb Tours will provide daily round-trip service, Monday through Friday.

Title II, Article XII, Section 4(d)(3) of the Compact authorizes the Commission to grant temporary authority, with or without hearing and in its discretion for not more than 180 days, to enable the provision of a service for which there is an immediate and urgent need, and where there

is no carrier service capable of meeting such need. The Commission finds from the record herein that these standards have been met. Accordingly, the Commission shall grant Webb Tours' motion for extension of temporary authority herein.

Title II, Article XII, Section 4(b) of the Compact provides that an application for a certificate of public convenience and necessity may be granted "after hearing held upon reasonable notice". Accordingly, the Commission shall schedule a public hearing on the above-referenced application for certificate of public convenience and necessity. Applicant will be required to file a statement of projected revenues and revenue deductions and will be assessed an amount preliminarily estimated to cover the cost of the hearing in accordance with Title II, Article XII, Section 19 of the Compact.

The Commission notes that on February 15, 1978, Omnibus Corporation submitted a letter, protesting the then unfiled application for a certificate of public convenience and necessity. Inasmuch as this document was tendered on an anticipatory basis, and because it does not conform to the requirements of Rules 14-01 and 14-02 of the Commission's Rules of Practice and Procedure, it will not be considered by the Commission. Omnibus Corporation may, of course, tender for filing a protest in accordance with Rule 14 and the timetable set forth below.

THEREFORE, IT IS ORDERED:

1. That the motion for extension of temporary authority filed March 14, 1978, by Webb Tours, Inc., be, and it is hereby, granted.
2. That the temporary authority granted to Webb Tours, Inc., by Order No. 1800, served January 31, 1978, be, and it is hereby, extended through 11:59 p.m., Sunday, July 30, 1978, unless otherwise ordered by the Commission.
3. That Case No. Ap-78-11 of Webb Tours, Inc., be and it is hereby, scheduled for public hearing to commence Thursday, April 20, 1978, at 9:30 a.m., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.
4. That Webb Tours, Inc., post in each of its vehicles continuously through the date of the public hearing, notice of said application and hearing thereon in the form prescribed by the staff of the Commission no later than Friday, March 24, 1978.
5. That Webb Tours, Inc., publish once, in a newspaper of general circulation in the Metropolitan District, notice of said application and hearing thereon in the form prescribed by the staff of the Commission no later than Friday, March 24, 1978.

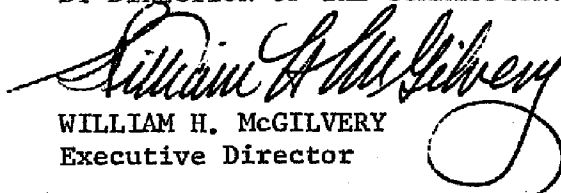
6. That applicant be, and it is hereby, directed to produce at said hearing, affidavits of said publication and posting.

7. That any person desiring to protest the above-referenced application for certificate of public convenience and necessity, shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission in writing no later than Monday, April 10, 1978, and shall mail a copy of such protest or notice to Ralph E. Webb, President, Webb Tours, Inc., 6229 - 87th Avenue, New Carrollton, Md. 20784.

8. That applicant be, and it is hereby, assessed \$200 pursuant to the provisions of the Compact, Title II, Article XII, Section 19, and directed to deliver said amount to the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, on or before 12 noon, Friday, April 14, 1978.

9. That applicant be, and it is hereby, directed to file with the Commission six copies of a projected revenue and revenue deductions statement for the proposed service, the original to be produced at the above-scheduled public hearing, no later than Friday, April 14, 1978, and to serve a copy thereof on each party of record as of April 10, 1978.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director

